IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

WP(C).No. 8674 of 2006(G)

PETITIONER:

SUDHEER E.K., S/O. E.A. KRISHNAN,
AGED 47 YEARS, ELLATH PARAMBIL HOUSE,
PULLOOT DESOM, PULLOOT VILLAGE,
KODUNGALLUR TALUK.

BY ADV. SRI.K.J.MOHAMMED ANZAR

RESPONDENTS:

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1. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETY-ARBITRATOR CUM-SPECIAL SALES OFFICER THRISSUR DISTRICT CO-OPERATIVE BANK LTD., KURUPPAM ROAD, THRISSUR.

2. THE THRISSUR DISTRICT CO-OPERATIVE BANK KODUNGALLUR BRANCH REP. BY ITS BRANCH MANAGER, KODUNGALLUR.

BY ADV. SRI.T.R. HARIKUMAR - SC,DC BANK.
GOVERNMENT PLEADER SRI. P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 8674/2006 G

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SALE NOTICE DT. 23/2/2006 ISSUED BY THE RESPONDENTS.

True copy

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K.M.JOSEPH, J.

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WP.(C) No.8674 of 2007

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Dated this the 1st day of June, 2007

JUDGMENT

Petitioner challenges Ext.P1 notice. He availed a loan, which was not repaid. When the matter came up, learned counsel for the petitioner submits that the petitioner may be permitted to pay the amount in instalments.

2. Heard learned counsel appearing for the Bank also.

The writ petition is disposed of as follows:

Petitioner is permitted to pay the amount in instalments. Learned counsel for the petitioner submits that the petitioner may be given some concession. If the petitioner files a petition before the second respondent within ten days from today, the second respondent will consider the matter and fix the amount to be paid by the petitioner and communicate the amount to be paid within a further period of ten days. Upon receipt of the decision of the Bank, the petitioner is permitted to pay the amount demanded in ten equal monthly instalments, the first of which shall be paid on or before 15.7.2007. The remaining instalments

shall be paid on or before the 15th of the succeeding months. If the petitioner commits default in payment of any instalment, the petitioner will forfeit the benefit of this judgment and the Bank can proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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